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Human rights questions: human rights situations and reports of special rapporteurs and representatives

Report of the Third Committee

Rapporteur: Mr. Pedro **Cardoso** (Brazil)

I. Introduction

1. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixtieth session, under the item entitled "Human rights questions", the sub-item entitled "Human rights situations and reports of special rapporteurs and representatives" and to allocate it to the Third Committee.

2. The Committee held a general discussion on the sub-item jointly with sub-items 71 (b) and (e) at its 23rd to 34th meetings, from 25 to 28 and on 31 October and on 2 and 7 November 2005, and considered proposals and took action on sub-item 71 (c) at its 35th, 37th and 42nd to 48th meetings, on 8, 9, 17, 18, 21, 22 and 23 November. An account of the Committee's discussion is contained in the relevant summary records (see A/C.3/60/SR.23-35, 37 and 42-48).

3. For the documents before the Committee under this sub-item, see A/60/509.

4. At the 23rd meeting, on 25 October, the United Nations High Commissioner for Human Rights addressed the Committee and engaged in a dialogue with the representatives of Canada, Pakistan, the Libyan Arab Jamahiriya, Venezuela (Bolivarian Republic of), Cuba, Iraq, China, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union) and Costa Rica (see A/C.3/60/SR.23).

5. At the same meeting, the Director of the New York Office of the United Nations High Commissioner for Human Rights and the Director of the Division for Social Policy and Development of the Department of Economic and Social Affairs made introductory statements (see A/C.3/60/SR.23).

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6. At the 26th meeting, on 27 October, the Independent Expert on the situation of human rights in Burundi made a statement and engaged in a dialogue with the representatives of Chile, Burundi, the United Republic of Tanzania, the United Kingdom (on behalf of the European Union), Indonesia and Canada (see A/C.3/60/SR.26).

7. Also at the 26th meeting, the Special Rapporteur on the situation of human rights in the Sudan made a statement and engaged in a dialogue with the representatives of Canada, the United Kingdom (on behalf of the European Union), the Libyan Arab Jamahiriya, the United States of America, Iran (Islamic Republic of), China, Cuba, Egypt and the Sudan (see A/C.3/60/SR.26).

8. At the 27th meeting, on 27 October, the Special Rapporteur on the situation of human rights in Myanmar made a statement and engaged in a question-and-answer session with the representatives of Myanmar, Canada, Indonesia, Venezuela (Bolivarian Republic of), the United Kingdom (on behalf of the European Union), the United States of America, Sweden, China, the Democratic People's Republic of Korea, Japan and Cuba (see A/C.3/60/SR.27).

9. At the 27th and 28th meetings, on 27 and 28 October, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea made a statement and engaged in a question-and-answer session with the representatives of Canada, the United States of America, Switzerland, the United Kingdom (on behalf of the European Union), Japan, the Sudan, the Democratic People's Republic of Korea, Venezuela (Bolivarian Republic of) and China (see A/C.3/60/SR.27 and 28).

10. Also at the 28th meeting, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 made a statement and engaged in a dialogue with the representatives of Israel, Palestine, the United States of America, the Sudan, Jordan, Egypt, the Syrian Arab Republic, the United Kingdom (on behalf of the European Union), the Libyan Arab Jamahiriya, Venezuela (Bolivarian Republic of), Cuba and China (see A/C.3/60/SR.28).

II. Consideration of proposals

A. Draft resolution A/C.3/60/L.41 and Rev.1

11. At the 35th meeting, on 8 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Albania, Australia, Austria, Belgium, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom, introduced a draft resolution entitled "Situation of human rights in the Democratic Republic of the Congo" (A/C.3/60/L.41), which read:

"*The General Assembly*,

"*Reaffirming* that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms, and

the duty to fulfil the obligations they have undertaken under the various instruments in this field,

"*Noting* that the Democratic Republic of the Congo is a party to several international and regional human rights instruments and to several instruments pertaining to international humanitarian law,

"*Noting also* that the human rights situation in the Democratic Republic of the Congo can sustainably improve only if the country is taken forward to the holding of free and fair elections, an essential part of becoming a stable, peaceful and democratic country,

"*Recalling* all its previous resolutions, as well as those of the Commission on Human Rights and the Security Council, on the situation in the Democratic Republic of the Congo,

"1. *Welcomes*:

"(a) The report of the independent expert on the situation of human rights in the Democratic Republic of the Congo, as well as his visit to the Democratic Republic of the Congo in August 2005;

"(b) The strengthened mandate of the United Nations Organization Mission in the Democratic Republic of the Congo regarding the protection of civilians in accordance with Security Council resolution 1592 (2005), and expresses its support for the continued work of the Mission and the Special Representative of the Secretary-General for the Democratic Republic of the Congo;

"(c) The work accomplished by the human rights field office in the Democratic Republic of the Congo, and encourages the office to pursue and enhance its cooperation with the relevant agencies of the United Nations and the Mission in the fulfilment of its mandate;

"(d) The measures taken in 2005 by the authorities of the Democratic Republic of the Congo to arrest and detain leaders of militia groups suspected of committing serious human rights abuses;

"(e) The substantial progress made by the transitional national Government and the Independent Electoral Commission, with the welcome assistance of the United Nations Organization Mission in the Democratic Republic of the Congo, towards the holding of elections before June 2006 as specified by the Global and All-Inclusive Agreement, in particular the registration of voters and the enthusiasm shown by the Congolese people to embrace a democratic future;

"(f) The continuing investigations of the International Criminal Court into crimes allegedly committed in the territory of the Democratic Republic of the Congo;

"2. *Requests* the United Nations High Commissioner for Human Rights to ensure that consultations continue between her Office and the Secretary-General concerning the ways in which to assist the transitional Government of the Democratic Republic of the Congo in tackling the problem of impunity, and looks forward to the report of the High Commissioner to the Commission on Human Rights at its sixty-second session on these consultations and on

possible options for putting an end to impunity for the perpetrators of crimes committed before 1 July 2002;

"3. *Condemns*:

"(a) The ongoing violations of human rights and international humanitarian law, particularly in North Kivu and South Kivu, northern Katanga and other areas in the eastern part of the Democratic Republic of the Congo, including armed violence and reprisals against the civilian population and the recourse to sexual violence against women and children, including in situations where such practices are being used as a weapon of war;

"(b) The killing of United Nations peacekeeping troops by militia groups in Ituri province, eastern Democratic Republic of the Congo, in February 2005 and in June 2005;

"(c) The killing of Pascal Kabungulu Kibembi, Executive Secretary of the human rights non-governmental organization Heritiers de la Justice, on 31 July 2005 and the harassment of human rights defenders across the country, but particularly in the eastern Democratic Republic of the Congo;

"(d) The continued illegal exploitation of natural resources in the eastern Democratic Republic of the Congo and the human rights abuses committed by groups linked to the mining and trading of these resources, as well as the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa;

"4. *Urges* all parties to the conflict in the Democratic Republic of the Congo:

"(a) To respect and further implement the Global and All-Inclusive Agreement and to cease immediately any action which impedes the consolidation of the sovereignty, unity and territorial integrity of the Democratic Republic of the Congo;

"(b) To support the transitional Government and its institutions in order to allow for the re-establishment of political and economic stability and for the gradual reinforcement of State structures over the entire territory of the Democratic Republic of the Congo, in accordance with their obligations under the Transitional Constitution and the Constitution due to be adopted by referendum in December;

"(c) To put an immediate end to the recruitment and use of child soldiers, which is contrary to international law and to the African Charter on the Rights and Welfare of the Child, with the understanding that, under the Convention on the Rights of the Child and the Optional Protocol thereto on the involvement of children in armed conflict, and in accordance with Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 on children and armed conflict, persons under the age of 18 are entitled to special protection, and to develop and implement without delay the action plans called for in Security Council resolutions 1539 (2004) and 1612 (2005);

"(d) To take special measures to protect women and children from the appalling violence, including sexual violence, which has been and continues to

be prevalent throughout the country, in particular in the eastern part of the country, and to bring the perpetrators of such crimes to justice as soon as possible, and condemns in particular the widespread use of sexual violence as a means of warfare;

"(e) To promote the full enjoyment of all human rights by women and children and to meet the special needs of women and girls in post-conflict reconstruction, as well as to ensure the full participation of women in all aspects of conflict resolution and peace processes, including peacekeeping, conflict management and peacebuilding, as a matter of priority, in accordance with Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security;

"(f) To respect international humanitarian law, in particular on the protection of civilians by ensuring the safety, security and freedom of movement of all civilians and United Nations and associated personnel, and the unhindered access of humanitarian personnel to all of the affected population throughout the territory of the Democratic Republic of the Congo in accordance with Security Council resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000;

"(g) To promote the full enjoyment of all human rights and to protect the safety, security and freedom of movement of all human rights defenders;

"5. *Calls upon* the Government of National Unity and Transition to take specific measures:

"(a) To achieve the objectives of the transitional period as laid down in the Global and All-Inclusive Agreement, in particular the holding of free and transparent elections at all levels within the specified time frame, enabling the establishment of a democratic constitutional regime, and the formation of a restructured and fully integrated national army, and also the formation of an integrated and adequately resourced national police force, while ensuring that government institutions, including the army and police, are trained in human rights aspects of their work and ensuring that both light and heavy weapons are being surrendered in the disarmament process;

"(b) To strengthen the transitional institutions, in particular to set up effectively the Independent Electoral Commission, and to make more effective the Truth and Reconciliation Commission, the Human Rights Monitoring Centre and the Haute-Autorité des Médias, and to re-establish stability and the rule of law over the entire territory of the Democratic Republic of the Congo, thereby returning peace and progress to its people;

"(c) To comply fully with its obligations under international human rights instruments and, accordingly, to continue to cooperate with United Nations mechanisms for the protection of human rights and further strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights and the Human Rights Section of the United Nations Organization Mission in the Democratic Republic of the Congo;

"(d) To put an end to impunity and to ensure, as it is duty-bound to do, that those responsible for human rights violations and grave breaches of international humanitarian law are brought to justice in accordance with due

process, and to carry out urgently a comprehensive reform of the judicial and prison system;

"(e) To continue to cooperate with the International Criminal Court and with the International Criminal Tribunal for Rwanda, by ensuring that they have all necessary means with which to accomplish their tasks;

"(f) To put an end to the use of the death penalty in a manner contrary to its obligations assumed under the relevant provisions of the International Covenant on Civil and Political Rights and other human rights instruments, while recalling its commitment to progressively abolish the death penalty and not to impose it on juvenile offenders;

"(g) To prevent the use of the media to incite hatred or tensions among communities, while respecting freedom of expression and of the press, particularly during the electoral campaign;

"(h) To ensure that human rights defenders are protected from abuses, threats and harassment;

"(i) To accelerate its programme to demobilize, disarm and reintegrate former combatants, taking into account the special needs of dependants, particularly girls;

"(j) To increase its efforts to eliminate corruption in the Democratic Republic of the Congo, which contributes to a general climate of impunity, and to take steps towards the setting up of an arrangement to strengthen support for good governance and transparent economic management, with the support of the International Committee in Support of the Transition, the United Nations Organization Mission in the Democratic Republic of the Congo, international financial institutions and donors;

"6. *Calls upon* the Governments of countries in the region, including the Democratic Republic of the Congo:

"(a) To cease immediately all military activity that impedes the consolidation of the sovereignty, unity and territorial integrity of the Democratic Republic of the Congo, including support for the armed groups, whether financial, political or logistical, and allowing revenue from illegally extracted natural resources to be used on their territory;

"(b) To work with the United Nations Organization Mission in the Democratic Republic of the Congo to take urgent steps towards the disarmament and resettlement or repatriation of the Forces démocratiques de libération du Rwanda, former Forces armées rwandaises, Interahamwe and other foreign armed groups, which remain a threat to regional peace and perpetrate human rights abuses on the civilian population of the Democratic Republic of the Congo;

"(c) To support the transitional process in the Democratic Republic of the Congo and adhere fully to the Principles on Good-neighbourly Relations and Cooperation between the Democratic Republic of the Congo and Burundi, Rwanda and Uganda, signed in New York on 25 September 2003, to work towards the successful implementation of the Joint Verification Mechanism, to

work through the Tripartite Commission Plus One and to respect the principles of the Dar Es Salaam Declaration of November 2004;

"(d) To ensure the rights and well-being of internally displaced persons, returnees and refugee populations and, in particular, to peacefully repatriate Forces démocratiques de libération du Rwanda members returning to Rwanda, in accordance with the applicable norms of international law and with respect for the rights and freedoms of the human person;

"(e) To continue to cooperate with the International Criminal Court and with the International Criminal Tribunal for Rwanda, and specifically with regard to the Democratic Republic of the Congo, to make swift progress towards passing legislation necessary for the International Criminal Court's investigations in the Democratic Republic of the Congo to proceed smoothly;

"(f) To take steps towards putting an end to the illegal exploitation of the natural resources of the Democratic Republic of the Congo, in view of the link between that exploitation and the continuation of conflict;

"7. *Urges* the Secretary-General to continue his work towards eliminating sexual exploitation and abuse committed by personnel serving the United Nations Organization Mission in the Democratic Republic of the Congo;

"8. *Encourages* the international community:

"(a) To continue to support the transitional process in the Democratic Republic of the Congo and its institutions and, in particular, to support the electoral process and to provide further assistance for the reform of the justice system;

"(b) To observe the arms embargo on the Democratic Republic of the Congo established by Security Council resolution 1493 (2003) of 28 July 2003 and expanded by resolution 1596 (2005) of 18 April 2005, and to enforce the sanctions measures against individuals identified by the Security Council in line with its resolution 1596 (2005) and its resolution 1616 (2005) of 29 July 2005;

"(c) To continue to exert political pressure on States concerned and members of armed groups based in the eastern Democratic Republic of the Congo in order to limit their capacity for continued fund-raising, which contributes to ongoing human rights abuses;

"9. *Decides* to continue to examine the situation of human rights in the Democratic Republic of the Congo, and requests the independent expert on the situation of human rights in the Democratic Republic of the Congo to report to the General Assembly at its sixty-first session."

12. At its 48th meeting, on 23 November, the Committee had before it a revised draft resolution (A/C.3/60/L.41/Rev.1) submitted by the sponsors of draft resolution A/C.3/60/L.41 and Bulgaria, Canada, Monaco and the Republic of Moldova. Subsequently, Andorra, Iceland and Japan joined in sponsoring the revised draft resolution.

13. At the same meeting, the Committee was advised that the draft resolution had no programme budget implications.

14. At the same meeting, the representative of the United Kingdom (on behalf of the European Union) made a statement (see A/C.3/60/SR.48).

15. The representative of Uganda made a statement and requested separate votes on the fourth preambular paragraph and operative paragraph 9 (c) of the draft resolution.

16. At the same meeting, the representatives of Uganda and the Democratic Republic of the Congo made statements before the vote (see A/C.3/60/SR.48).

17. Also at the 48th meeting, the Committee voted on draft resolution A/C.3/60/L.41/Rev.1 as follows:

(a) The fourth preambular paragraph was retained by a recorded vote of 92 to 3, with 62 abstentions. The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Zambia.

Against:

Guinea-Bissau, Rwanda, Uganda.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Brazil, Brunei Darussalam, Burundi, Cape Verde, China, Colombia, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kenya, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritius, Mongolia, Nepal, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, Yemen, Zimbabwe.

(b) Operative paragraph 9 (c) was retained by a recorded vote of 92 to 3, with 62 abstentions. The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Cameroon, Canada, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Zambia.

Against:

Guinea-Bissau, Rwanda, Uganda.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cape Verde, China, Colombia, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kenya, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritius, Mongolia, Nepal, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, Yemen, Zimbabwe.

(c) Draft resolution A/C.3/60/L.41/Rev.1, as a whole, was adopted by a recorded vote of 96 to 2, with 66 abstentions (see para. 70, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Canada, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia,

Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Zambia, Zimbabwe.

Against:

Rwanda, Uganda.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Brazil, Brunei Darussalam, Burundi, Cameroon, Cape Verde, China, Colombia, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritius, Mozambique, Myanmar, Nepal, Nigeria, Oman, Pakistan, Papua New Guinea, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Yemen.

18. Before the vote on the draft resolution as a whole, statements were made by the representatives of Rwanda and the Democratic Republic of the Congo; after the vote, the representative of the United States of America made a statement (see A/C.3/60/SR.48).

B. Draft resolution A/C.3/60/L.45

19. At the 35th meeting, on 8 November, the representative of Canada, on behalf of Albania, Andorra, Austria, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tuvalu, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in the Islamic Republic of Iran" (A/C.3/60/L.45). Subsequently, Australia, Bulgaria, the Republic of Moldova, New Zealand, Palau and Papua New Guinea joined in sponsoring the draft resolution.

20. At its 43rd meeting, on 18 November, the Committee was advised that the draft resolution had no programme budget implications.

21. At the same meeting, the representative of Canada made a statement (see A/C.3/60/SR.43).

22. Also at the same meeting, the representative of the Islamic Republic of Iran moved, under rule 116 of the rules of procedure of the General Assembly, for the adjournment of the debate on the draft resolution.

23. Statements in favour of the motion were made by the representatives of the Russian Federation and Zimbabwe; statements against the motion were made by the representatives of Canada and Australia.

24. The motion was rejected by a recorded vote of 77 to 70, with 23 abstentions. The voting was as follows:

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bhutan, Brunei Darussalam, Burkina Faso, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Myanmar, Namibia, Nepal, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Abstaining:

Angola, Belize, Benin, Botswana, Brazil, Burundi, Cameroon, Cape Verde, Chad, Colombia, Ethiopia, Ghana, Guinea-Bissau, Guyana, Iraq, Kenya, Mauritius, Nigeria, Republic of Korea, Rwanda, Suriname, Trinidad and Tobago, United Republic of Tanzania.

25. Also at its 43rd meeting, the Committee adopted draft resolution A/C.3/60/L.45 by a recorded vote of 77 to 51, with 46 abstentions (see para. 70, draft resolution II). The voting was as follows:

In favour:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan,

Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Niger, Oman, Pakistan, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahamas, Barbados, Benin, Bhutan, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Guinea-Bissau, Guyana, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Panama, Philippines, Republic of Korea, Rwanda, Sierra Leone, Singapore, Suriname, Thailand, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Zambia.

26. Before the adoption of the draft resolution, statements were made by the representatives of Cuba, Venezuela (Bolivarian Republic of), Turkmenistan, Uzbekistan, Belarus, Indonesia, Malaysia, Myanmar and the Sudan; after the adoption of the draft resolution, a statement was made by the representative of Brazil (see A/C.3/60/SR.43).

C. Draft resolution A/C.3/60/L.46

27. At the 35th meeting, on 8 November, the representative of the United States of America, on behalf of Albania, Austria, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in Turkmenistan" (A/C.3/60/L.46). Subsequently, Australia, Bulgaria, Japan, Iceland, Liechtenstein, Palau and the Republic of Moldova joined in sponsoring the draft resolution.

28. At its 45th meeting, on 21 November, the Committee was advised that the draft resolution had no programme budget implications.

29. At the same meeting, the representative of the United States of America orally revised the draft resolution as follows:

(a) In the fifth preambular paragraph, the words "of September 2005" were inserted after the word "report", and the words "and has shown readiness to cooperate with the international community" were inserted after the words "human rights issues";

(b) In operative paragraph 1 (t), the words "a significant number of Tajik refugees" were replaced by the words "more than 16 thousand refugees, including a significant number of Tajik refugees";

(c) Operative paragraph 2 (d), which read:

"The continued denial by the Government of Turkmenistan of unaccompanied access to prisoners by the International Committee of the Red Cross, according to the usual terms of the Committee and international monitors",

was replaced by:

"The failure of the Government of Turkmenistan to grant access to detainees to the International Committee of the Red Cross, according to the usual terms of the Committee, as well as to international monitors";

(d) Operative paragraphs 2 (m) and (n), which read:

"Government policies that significantly restrict equal access of all persons to quality health care and services;

"Government policies that significantly restrict equal access of all persons to quality education",

were deleted;

(e) Operative paragraph 3 (d), which read:

"In the light of the meeting of the President of Turkmenistan with representatives of the International Committee of the Red Cross in June 2005 and the meeting of the Minister for Foreign Affairs of Turkmenistan with the International Committee of the Red Cross in September 2005, to finalize an agreement allowing the Committee and other interested representatives of the international community to visit Turkmen prisons by providing appropriate independent bodies, including the Committee, with full access to all places of detention, in accordance with the usual modalities for those organizations, and by ensuring that lawyers and relatives have full and repeated access to all those in detention, including those convicted of involvement in the coup attempt of 25 November 2002",

was replaced by:

"To follow through on the presentation of the Government of Turkmenistan to the Commission on Human Rights in April 2004 and the meetings of the Government of Turkmenistan with the International Committee of the Red Cross in 2005 by finalizing an agreement allowing the Committee to visit Turkmen prisons with full and repeated access to all places of detention in accordance with the usual modalities for that organization, and

by providing international monitors, lawyers and relatives with full and repeated access to all those in detention, including those convicted of involvement in the coup attempt of 25 November 2002".

30. At the same meeting, statements were made by the representatives of Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Uzbekistan, Myanmar and Cuba (see A/C.3/60/SR.45).

31. Also, at the same meeting, the representative of Turkmenistan moved, under rule 116 of the rules of procedure of the General Assembly, for the adjournment of the debate on the draft resolution.

32. Statements in favour of the motion were made by the representatives of China and Venezuela (Bolivarian Republic of); statements against the motion were made by the representatives of the United States of America and the United Kingdom (on behalf of the European Union).

33. The motion was rejected by a recorded vote of 70 to 64, with 26 abstentions. The voting was as follows:

In favour:

Afghanistan, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Fiji, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Maldives, Morocco, Myanmar, Namibia, Nepal, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Sierra Leone, Singapore, South Africa, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Togo, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Algeria, Brazil, Burundi, Cape Verde, Colombia, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Ethiopia, Ghana, Guyana, Iraq, Kenya, Mali, Mauritius, Niger, Nigeria, Rwanda, Senegal, Sri Lanka, Suriname, Swaziland, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay.

34. Also at its 45th meeting, the Committee adopted draft resolution A/C.3/60/L.46, as orally revised, by a recorded vote of 70 to 38, with 58 abstentions (see para. 70, draft resolution III). The voting was as follows:[1]

In favour:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Palau, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

Afghanistan, Azerbaijan, Bahrain, Bangladesh, Belarus, Botswana, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Egypt, Gambia, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Barbados, Belize, Bhutan, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Mali, Mauritius, Mozambique, Nauru, Nepal, Niger, Nigeria, Panama, Philippines, Russian Federation, Rwanda, Saint Lucia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Zambia.

35. Before the adoption of the draft resolution, statements were made by the representatives of Belarus, the Democratic People's Republic of Korea, the Sudan and Uzbekistan; after the adoption of the draft resolution, a statement was made by the representative of Singapore (see A/C.3/60/SR.45).

D. Draft resolution A/C.3/60/L.47

36. At the 37th meeting, on 9 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Albania, Australia, Austria, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia,

[1] The representative of Namibia subsequently indicated that she had meant to abstain in the vote on the draft resolution.

Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia and the United Kingdom, introduced a draft resolution entitled "Situation of human rights in the Sudan" (A/C.3/60/L.47). Subsequently, Andorra, Bulgaria, Iceland, Japan, the Republic of Moldova, Switzerland and the United States of America joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights, and recalling the International Covenants on Human Rights and other relevant human rights instruments,

"*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in the field,

"*Reaffirming also* Commission on Human Rights resolution 2005/82, of 21 April 2005,

"*Recalling* Security Council resolutions 1296 (2000) of 19 April 2000, 1325 (2000) of 31 October 2000, 1556 (2004) of 30 July 2004, 1590 (2005) of 24 March 2005, 1591 (2005) of 29 March 2005, and 1593 (2005) of 31 March 2005,

"*Recognizing* that good governance, democracy, the rule of law and respect for human rights are essential to achieving sustainable development and economic growth,

"1. *Welcomes*:

"(a) Progress made in implementing the Comprehensive Peace Agreement concluded in Nairobi on 9 January 2005;

"(b) The adoption of the interim constitution on 9 July 2005 and the provisions for human rights therein;

"(c) The commitments made by both parties, in the aftermath of the death of first Vice-President Dr. John Garang de Mabior on 30 July 2005, to continue to work together in implementing the Comprehensive Peace Agreement;

"(d) The full involvement of the Commission of the African Union in the search for a political solution in Abuja and the signature of the Declaration of Principles as an initial step;

"(e) The efforts of the African Union Mission in the Sudan in Darfur to stabilize the security situation on the ground;

"(f) The support pledged by the international community to the African Union Mission in the Sudan in Addis Ababa and the contributions delivered thus far;

"(g) The appointment of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan;

"(h) The cooperation extended by the Government of National Unity to the Special Rapporteur on her mission to the country from 15 to 22 October;

"(i) The decision by the Office of the Prosecutor of the International Criminal Court to commence an investigation into crimes allegedly committed in Darfur;

"(j) The activities of Human Rights Unit of the United Nations Mission in the Sudan and of the Office of the United Nations High Commissioner for Human Rights in support of human rights in the Sudan to date;

"2. *Concerned* at:

"(a) The delays in the implementation of the Comprehensive Peace Agreement and the establishment of the Assessment and Evaluation Commission;

"(b) The protracted humanitarian crisis in Darfur and recent upsurge in violence perpetrated by all parties to the conflict;

"(c) The continuing climate of impunity in the Darfur region, particularly in the area of violence against women and girls;

"(d) The forced relocation of displaced people, particularly in the peri-urban settlements around Khartoum;

"3. *Condemns*:

"(a) Continued violations of the Ceasefire Agreement concluded in N'djamena on 8 April 2004 and the Abuja Protocols on Improvement of the Humanitarian Situation and Enhancement of the Security Situation of 9 November 2004 by all parties to the conflict and the impact this has had on humanitarian efforts;

"(b) Continued violence against civilians, including sexual violence, extrajudicial killings, disappearances, arbitrary detention and torture, widespread displacement, denial of religious freedom and other violations of human rights throughout the country;

"(c) Attacks on humanitarian agencies and non-governmental organizations and African Union staff;

"(d) Imposition of the death penalty and punishments that constitute cruel, inhuman or degrading treatment;

"4. *Calls* on all parties to the conflict:

"(a) To participate without preconditions at the Abuja talks and negotiate constructively to ensure a swift and sustainable agreement to resolve the Darfur conflict;

"(b) To cease all acts of violence and respect fully the N'djamena Ceasefire Agreement and the Abuja Protocols;

"(c) To grant immediate, safe and unhindered humanitarian access to Darfur and elsewhere in the Sudan and to cooperate fully with the

humanitarian agencies working to alleviate the suffering of the affected populations;

"(d) To cooperate fully with the relevant bodies and mechanisms of the United Nations and the African Union involved in the search for a solution to the multiple crises affecting the Sudan, including Darfur;

"(e) To cooperate fully in the implementation of Security Council resolutions 1296 (2000), 1325 (2000), 1556 (2004), 1590 (2005), 1591 (2005) and 1593 (2005);

"(f) To grant the International Committee of the Red Cross access to all persons detained under their authority, including those detained in relation to the situation in Darfur;

"(g) To avoid the spread of violence to other parts of the Sudan, including in the East;

"5. *Calls* on the Government of National Unity:

"(a) To respect and protect human rights and to comply fully with its international human rights obligations and to fulfil commitments it has made to ratify as a matter of priority treaties to which it is not a party, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Elimination of All Forms of Discrimination against Women;

"(b) To continue to move forward with the implementation of the Comprehensive Peace Agreement, including the establishment of the Assessment and Evaluation Commission;

"(c) To cooperate fully with the International Criminal Court;

"(d) To stop violations of human rights and to end the prevailing culture of impunity and effectively investigate human rights violations and bring the perpetrators to justice, in accordance with international standards of due process;

"(e) To strengthen the independence of the judiciary and to take further steps to guarantee freedom of expression;

"(f) To promote a peaceful solution in East Sudan based on dialogue and spirit of compromise;

"(g) To disarm the Janjaweed militias in conformity with the relevant Security Council resolutions;

"(h) To continue its programme to demobilize, disarm and reintegrate former combatants, taking into account the special needs of women and children, including girls, associated with those combatants;

"6. *Encourages* the African Union:

"(a) To continue to contribute towards international efforts to protect and promote human rights in Darfur, as well as to coordinate international efforts towards the protection of civilians, with particular attention to vulnerable groups including internally displaced persons, returning refugees and women and children, within its capabilities and in close cooperation with

other United Nations agencies, related organizations, and non-governmental organizations;

"(b) To pursue its important role in ensuring a successful conclusion to the Abuja peace talks;

"7. *Encourages* the international community:

"(a) To continue and expand its support towards full implementation of the Comprehensive Peace Agreement, which will be conducive to sustained international support for development of the country;

"(b) To continue its support for the African Union efforts and activities aimed at establishing an environment conducive to peace in Darfur, including by providing adequate logistical and financial support to the African Union Mission in the Sudan in Darfur to enable it to achieve its objectives;

"(c) To continue to support efforts aimed at promoting and protecting human rights in the Sudan, and to contribute towards humanitarian relief, recovery and reconstruction activities in the Sudan, including the affected population in Darfur to complement the efforts of the Government of National Unity;

"8. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-first session on the progress made in the implementation of the present resolution."

37. At its 47th meeting, on 23 November, the Committee was advised that the draft resolution had no programme budget implications.

38. At the same meeting, a statement was made by the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) (see A/C.3/60/SR.47).

39. At the same meeting, the representative of Nigeria (on behalf of the Group of African States) made a statement and moved, under rule 116 of the rules of procedure of the General Assembly, for the adjournment of the debate on the draft resolution.

40. Also at the same meeting, statements were made by the representatives of Egypt and Uganda (see A/C.3/60/SR.47).

41. Statements in favour of the motion were made by the representatives of China and Venezuela (Bolivarian Republic of); statements against the motion were made by the representatives of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) and New Zealand (also on behalf of Australia and Canada).

42. The motion was carried by a recorded vote of 84 to 79, with 12 abstentions. The voting was as follows:

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia,

Gambia, Ghana, Guinea, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Belize, Brazil, Cape Verde, Colombia, Guyana, Iraq, Kyrgyzstan, Mauritius, Papua New Guinea, Sri Lanka, Suriname, Trinidad and Tobago.

43. After the vote, the representative of Turkey made a statement (see A/C.3/60/SR.47).

E. Draft resolution A/C.3/60/L.48

44. At the 35th meeting, on 8 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Albania, Australia, Austria, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, the United Kingdom and the United States of America, introduced a draft resolution entitled "Situation of human rights in the Democratic People's Republic of Korea" (A/C.3/60/L.48). Subsequently, Bulgaria, Iceland, Israel, Liechtenstein, New Zealand, Nicaragua, Palau and the Republic of Moldova joined in sponsoring the draft resolution.

45. At the same meeting, the representative of the Democratic People's Republic of Korea made a statement (see A/C.3/60/SR.35).

46. At its 42nd meeting, on 17 November, the Committee was advised that the draft resolution had no financial implications.

47. At the same meeting, statements were made by the representatives of the Democratic People's Republic of Korea and the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) (see A/C.3/60/SR.42).

48. Also at its 42nd meeting, the Committee adopted draft resolution A/C.3/60/L.48 by a recorded vote of 84 to 22, with 62 abstentions (see para. 70, draft resolution IV). The voting was as follows:[2]

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Gambia, Guinea, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Russian Federation, Sudan, Swaziland, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Ghana, Guinea-Bissau, Guyana, India, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Mali, Mauritius, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Pakistan, Philippines, Qatar, Republic of Korea, Saint Kitts and Nevis, Saint Lucia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Suriname, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Yemen, Zambia.

49. Before the adoption of the draft resolution, statements were made by the representatives of Barbados, Venezuela (Bolivarian Republic of), Cuba, Malaysia, Indonesia, China, Belarus, the Sudan, Turkmenistan, Zimbabwe and Egypt; after the

[2] Subsequently, the representative of the Syrian Arab Republic stated that she had meant to vote against the draft resolution, and the representative of Estonia stated that she had meant to vote in favour; the delegation of Grenada indicated that, had it been present during the voting, it would have voted in favour.

adoption of the draft resolution, statements were made by the representatives of the Republic of Korea and Japan (see A/C.3/60/SR.42).

F. Draft resolution A/C.3/60/L.51

50. At the 37th meeting, on 9 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Albania, Austria, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom, introduced a draft resolution entitled "Situation of human rights in Uzbekistan" (A/C.3/60/L.51). Subsequently, Andorra, Australia, Bulgaria, Iceland, Liechtenstein, Palau and Switzerland joined in sponsoring the draft resolution.

51. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) orally revised the draft resolution as follows:

(a) Operative paragraph 2 (h), which read:

"Continued restriction of access of representatives of the International Committee of the Red Cross to places of detention",

was deleted;

(b) Operative paragraph 4 (e), which read:

"To ensure full respect for all human rights and fundamental freedoms and, in this regard, to implement fully the recommendations of the independent expert on the protection of human rights and fundamental freedoms while countering terrorism appointed under the confidential 1503 procedure at the sixtieth session of the Commission on Human Rights and to extend full cooperation to the newly appointed Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism",

was replaced by:

"To ensure full respect for all human rights and fundamental freedoms and, in this regard, to implement fully the recommendations of the independent expert on the situation of human rights in Uzbekistan appointed under the confidential 1503 procedure at the sixtieth session of the Commission on Human Rights and to extend full cooperation to the newly appointed Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism";

(c) Operative paragraph 4 (i) which read:

"To allow, in line with Uzbek commitments, access of representatives of the International Committee of the Red Cross to detainees",

was replaced by:

"To allow the representatives of the International Committee of the Red Cross unimpeded access to persons detained, in accordance with its working procedures".

52. Also at the 37th meeting, the representative of Uzbekistan made a statement (see A/C.3/60/SR.37).

53. At its 46th meeting, on 22 November, the Committee was advised that the draft resolution had no financial implications.

54. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) made a statement and further orally revised the draft resolution as follows:

(a) Operative paragraph 4 (e), as orally revised (see para. 51 (b) above) was replaced by:

"To ensure full respect for all human rights and fundamental freedoms, and in this regard, to implement fully the recommendations of the independent expert on the situation of human rights in Uzbekistan appointed under the confidential 1503 procedure at the sixtieth session of the Commission on Human Rights and to extend full cooperation to the newly appointed independent expert";

(b) In operative paragraph 5, the words "sixty-second" were replaced by the words "sixty-first".

55. Also at the same meeting, the representatives of Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Cuba, Turkmenistan, Venezuela (Bolivarian Republic of) and Myanmar made statements (see A/C.3/60/SR.46).

56. The representative of Uzbekistan made a statement, in the course of which she moved, under rule 116 of the rules of procedure of the General Assembly, for the adjournment of the debate on the draft resolution.

57. Statements in favour of the motion were made by the representatives of Belarus and China; statements against the motion were made by the representatives of Canada and the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union).

58. At the same meeting, the Committee rejected the motion by a recorded vote of 75 to 65, with 28 abstentions. The voting was as follows:

In favour:

Afghanistan, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, El Salvador, Eritrea, Fiji, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Namibia, Nepal, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Sierra Leone, Singapore, South Africa, Sudan, Swaziland, Syrian Arab Republic,

Tajikistan, Thailand, Togo, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Abstaining:

Algeria, Brazil, Burundi, Cameroon, Cape Verde, Central African Republic, Colombia, Democratic Republic of the Congo, Djibouti, Ethiopia, Ghana, Guyana, Haiti, Iraq, Kenya, Mali, Mauritius, Nauru, Niger, Nigeria, Rwanda, Senegal, Sri Lanka, Suriname, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay.

59. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/60/L.51, as further orally revised, by a recorded vote of 73 to 38, with 58 abstentions (see para. 70, draft resolution V). The voting was as follows:

In favour:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Palau, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Against:

Afghanistan, Azerbaijan, Bahrain, Bangladesh, Belarus, Botswana, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Egypt, Gambia, India, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Myanmar, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Bhutan, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Mali, Mauritius, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Panama, Papua New Guinea, Philippines, Republic of Korea, Rwanda, Saint Lucia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Zambia.

60. Statements were made before the vote by the representatives of Belarus, Barbados, the Democratic People's Republic of Korea, the Sudan, the Russian Federation, Turkmenistan and Uzbekistan (see A/C.3/60/SR.46).

G. Draft resolution A/C.3/60/L.53

61. At the 35th meeting, on 8 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Albania, Austria, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom, introduced and orally corrected a draft resolution entitled "Situation of human rights in Myanmar" (A/C.3/60/L.53). Subsequently, Andorra, Australia, Bulgaria, Iceland and the United States of America joined in sponsoring the draft resolution.

62. At its 44th meeting, on 18 November, the Committee had before it a statement of the programme budget implications of draft resolution A/C.3/60/L.53, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.3/60/L.68).

63. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) made a statement and orally revised the draft resolution as follows:

(a) In operative paragraph 1 (d), the words "some two hundred and forty-nine political prisoners" were replaced by the words "two hundred and forty-nine political prisoners on 6 July 2005";

(b) In operative paragraph 3 (h), the words "genuinely inclusive process" were replaced by the words "inclusive and credible process".

64. Also at the same meeting, the representatives of Myanmar and Malaysia made statements (see A/C.3/60/SR.44). The representative of Cuba also made a statement and moved, under rule 116 of the rules of procedure of the General Assembly, for the adjournment of the debate on the draft resolution.

65. Statements in favour of the motion were made by the representatives of China and Turkmenistan; statements against the motion were made by the representatives

of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) and New Zealand (see A/C.3/60/SR.44).

66. The motion was rejected by a recorded vote of 77 to 54, with 35 abstentions. The voting was as follows:

In favour:

Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Brunei Darussalam, Cambodia, Cameroon, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Fiji, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Namibia, Nepal, Pakistan, Papua New Guinea, Philippines, Russian Federation, Saint Lucia, Sierra Leone, Singapore, South Africa, Sudan, Syrian Arab Republic, Thailand, Turkmenistan, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Abstaining:

Angola, Botswana, Brazil, Burkina Faso, Burundi, Cape Verde, Colombia, Djibouti, Equatorial Guinea, Ethiopia, Ghana, Guinea-Bissau, Guyana, Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Mali, Mauritius, Morocco, Niger, Qatar, Rwanda, Saudi Arabia, Senegal, Sri Lanka, Suriname, Tajikistan, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay.

67. At the same meeting, the representative of Myanmar made a statement (see A/C.3/60/SR.44).

68. Also at its 44th meeting, the Committee adopted draft resolution A/C.3/60/L.53, as orally revised, without a vote (see para. 70, draft resolution VI).

69. After the adoption of the draft resolution, statements were made by the representatives of Cuba, Venezuela (Bolivarian Republic of), Belarus, Japan, Indonesia, Uzbekistan and Cameroon (see A/C.3/60/SR.44).

III. Recommendations of the Third Committee

70. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Situation of human rights in the Democratic Republic of the Congo

The General Assembly,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms, and the duty to fulfil the obligations they have undertaken under the various instruments in this field,

Noting that the Democratic Republic of the Congo is a party to several international and regional human rights instruments and to several instruments pertaining to international humanitarian law,

Underlining the importance of elections as the foundation for the longer-term restoration of peace and stability, national reconciliation, the rule of law and lasting promotion and protection of human rights in the Democratic Republic of the Congo,

Recalling its previous resolutions, as well as those of the Commission on Human Rights and the Security Council, on the situation in the Democratic Republic of the Congo,

1. *Welcomes*:

(a) The report of the independent expert on the situation of human rights in the Democratic Republic of the Congo of September 2005,[1] as well as his visit to the Democratic Republic of the Congo in August;

(b) The strengthened mandate of the United Nations Organization Mission in the Democratic Republic of the Congo regarding the protection of civilians in accordance with Security Council resolution 1592 (2005), and expresses its support for the continued work of the Mission and the Special Representative of the Secretary-General for the Democratic Republic of the Congo;

(c) The work accomplished by the human rights field office in the Democratic Republic of the Congo, and encourages the office to pursue and enhance its cooperation with the relevant agencies of the United Nations and the Mission in the fulfilment of its mandate;

(d) The measures taken in 2005 by the authorities of the Democratic Republic of the Congo to arrest and detain leaders of militia groups suspected of committing killings and other serious crimes against civilians;

(e) The substantial progress made by the Transitional National Government and the Independent Electoral Commission, with the welcome assistance of the United Nations Organization Mission in the Democratic Republic of the Congo,

[1] See A/60/395.

towards the holding of elections before June 2006 as specified by the Global and All-Inclusive Agreement, in particular the registration of voters and the enthusiasm shown by the Congolese people to embrace a democratic future;

2. *Takes note* of the continuing investigation by the Office of the Prosecutor of the International Criminal Court, based upon the referral of the Democratic Republic of the Congo, into crimes allegedly committed in the territory of the Democratic Republic of the Congo since the entry into force of the Rome Statute of the International Criminal Court on 1 July 2002;

3. *Requests* the United Nations High Commissioner for Human Rights to ensure that consultations continue between the field office of the Office of the High Commissioner in the Democratic Republic of the Congo and the Secretary-General concerning the ways in which to assist the transitional Government of the Democratic Republic of the Congo in tackling the problem of impunity, and looks forward to the report of the High Commissioner to the Commission on Human Rights at its sixty-second session on those consultations and on possible options for putting an end to the impunity of the perpetrators of crimes committed before 1 July 2002;

4. *Condemns*:

(a) The ongoing violations of human rights and international humanitarian law, particularly in North Kivu and South Kivu, northern Katanga and other areas in the eastern part of the Democratic Republic of the Congo, including armed violence and reprisals against the civilian population and the recourse to sexual violence against women and children, including in situations where such practices are being used as a weapon of war;

(b) The killing of United Nations peacekeeping troops by militia groups in Ituri Province, eastern Democratic Republic of the Congo, in February 2005 and in June 2005;

(c) The killing of Pascal Kabungulu Kibembi, Executive Secretary of the human rights non-governmental organization, Héritiers de la Justice, on 31 July 2005 and the harassment of human rights defenders across the country, but particularly in the eastern Democratic Republic of the Congo;

(d) The continued illegal exploitation of natural resources in the eastern Democratic Republic of the Congo and killings and other serious crimes against civilians committed by groups linked to the mining and trading of those resources, as well as the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the factors fuelling and exacerbating conflicts in the Democratic Republic of the Congo;

5. *Urges* all the parties, including non-signatories of the Global and All-Inclusive Agreement on the Transition, in the Democratic Republic of the Congo:

(a) To respect and further implement the Global and All-Inclusive Agreement and to cease immediately any action which impedes the consolidation of the sovereignty, unity and territorial integrity of the Democratic Republic of the Congo;

(b) To support the transitional Government and its institutions in order to allow for the re-establishment of political and economic stability and for the gradual

reinforcement of State structures over the entire territory of the Democratic Republic of the Congo, in accordance with their obligations under the transitional Constitution and as per the text of the Constitution submitted for referendum in December;

(c) To put an immediate end to the recruitment and use of child soldiers, which is contrary to international law and to the African Charter on the Rights and Welfare of the Child,[2] with the understanding that, under the Convention on the Rights of the Child[3] and the Optional Protocol thereto on the involvement of children in armed conflict,[4] and in accordance with Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 on children and armed conflict, persons under the age of 18 are entitled to special protection, and to develop and implement without delay the action plans called for in Security Council resolutions 1539 (2004) and 1612 (2005);

(d) To take special measures to protect women and children from the appalling violence, including sexual violence, which continues to be prevalent throughout the country, in particular in the eastern part of the country, and to bring the perpetrators of such crimes to justice as soon as possible, and condemns in particular the widespread use of sexual violence as a means of warfare;

(e) To respect international humanitarian law, in particular on the protection of civilians, and to ensure the safety, security and freedom of movement of all civilians and United Nations and associated personnel, and the unhindered access of humanitarian personnel to all of the affected population throughout the territory of the Democratic Republic of the Congo in accordance with Security Council resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000;

(f) To promote the full enjoyment of all human rights and to protect the safety, security and freedom of movement of all human rights defenders;

6. *Calls upon* the Government of National Unity and Transition to take specific measures:

(a) To complete the objectives of the transitional period as laid down in the Global and All-Inclusive Agreement, in particular the holding of free and transparent elections at all levels within the specified timetable, enabling the establishment of a democratic constitutional regime, and the formation of a restructured and fully integrated national army, and also the formation of an integrated and adequately resourced national police force, while ensuring that government institutions, including the army and police, are trained in human rights aspects of their work, and ensuring that both light and heavy weapons are being surrendered in the disarmament process;

(b) To strengthen the transitional institutions, in particular to set up effectively the Independent Electoral Commission, and to make more effective the institutions for the strengthening of democracy: the Truth and Reconciliation Commission, the Human Rights Monitoring Centre and the Haute-Autorité des Médias, and to re-establish stability and the rule of law over the entire territory of

[2] *Human Rights: A Compilation of International Instruments*, vol. II, *Regional Instruments* (United Nations publication, Sales No. E.97.XIV.1), sect. C, No. 39.

[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[4] Resolution 54/263, annex I.

the Democratic Republic of the Congo, thereby returning peace and progress to its people;

(c) To comply fully with its obligations under international human rights instruments and, accordingly, to continue to cooperate with United Nations mechanisms for the protection of human rights and further strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights and the Human Rights Section of the United Nations Organization Mission in the Democratic Republic of the Congo;

(d) To put an end to impunity and to ensure, as it is duty-bound to do, that those responsible for human rights violations and grave breaches of international humanitarian law are brought to justice in accordance with applicable international procedural standards, and to carry out urgently a comprehensive reform of the judicial and prison system;

(e) To promote the full enjoyment of all human rights by women and children and to meet the special needs of women and girls in post-conflict reconstruction, as well as to ensure the full participation of women in all aspects of conflict resolution and peace processes, including peacekeeping, conflict management and peacebuilding, as a matter of priority, in accordance with Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security;

(f) To continue to cooperate fully with the International Criminal Court and with the International Criminal Tribunal for Rwanda, by ensuring that they have all necessary means with which to accomplish their tasks;

(g) To continue to uphold its commitment to abolishing the death penalty and not to impose it on juvenile offenders in line with its obligations assumed under the relevant provisions of the International Covenant on Civil and Political Rights[5] and other human rights instruments;

(h) To prevent the use of the media to incite hatred or tensions among communities, while respecting freedom of expression and of the press, particularly during the electoral campaign;

(i) To ensure that human rights defenders are protected from abuses, threats and harassment;

(j) To accelerate its programme to demobilize, disarm and reintegrate former combatants, taking into account the special needs of women and children, including girls, associated with those combatants;

(k) To ensure the rights and well-being of internally displaced persons;

(l) To increase its efforts to eliminate corruption in the Democratic Republic of the Congo, which contributes to a general climate of impunity, and to take steps towards the setting up of an arrangement to strengthen support for good governance and transparent economic management, with the support of the International Committee in Support of the Transition, the United Nations Organization Mission in the Democratic Republic of the Congo, international financial institutions and donors;

[5] See resolution 2200 A (XXI), annex.

7. *Calls upon* the Governments of countries in the region, including the Democratic Republic of the Congo:

(a) To contribute to preventing armed groups operating in the eastern Democratic Republic of the Congo from perpetrating killings and other serious crimes by tackling the illicit trade by those armed groups in illegally extracted natural resources as well as the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms, including by preventing support for such armed groups, while fully respecting the sovereignty, unity and territorial integrity of the Democratic Republic of the Congo;

(b) To work with the United Nations Organization Mission in the Democratic Republic of the Congo to take urgent steps towards the disarmament and resettlement or repatriation of foreign armed groups, which remain a threat to regional peace and perpetrate killings and serious crimes against the civilian population of the Democratic Republic of the Congo;

(c) To support the transitional process in the Democratic Republic of the Congo and adhere fully to the Principles on Good-neighbourly Relations and Cooperation between the Democratic Republic of the Congo and Burundi, Rwanda and Uganda, signed in New York on 25 September 2003,[6] to continue to work towards the successful implementation of the Joint Verification Mechanism, to work through the Tripartite Commission Plus One and to respect the principles of the Dar es Salaam Declaration of November 2004, and welcomes steps taken in this regard to date;

(d) To peacefully repatriate members of the Forces démocratiques pour la libération du Rwanda returning to Rwanda, in accordance with the applicable norms of international law and with respect for human rights and fundamental freedoms, and to ensure the rights and well-being of returnees and refugee populations;

(e) To continue to cooperate with the International Criminal Court and with the International Criminal Tribunal for Rwanda, and, specifically in the case of the Democratic Republic of the Congo, to make swift progress towards passing legislation necessary for the International Criminal Court's investigations in the Democratic Republic of the Congo to proceed smoothly;

8. *Urges* the Secretary-General to continue his work aimed at eliminating sexual exploitation and abuse committed by personnel serving the United Nations Organization Mission in the Democratic Republic of the Congo;

9. *Encourages* the international community:

(a) To continue to support the transitional process in the Democratic Republic of the Congo and its institutions and, in particular, to support the electoral process and to provide further assistance for the reform of the justice system;

(b) To observe the arms embargo on the Democratic Republic of the Congo established by Security Council resolution 1493 (2003) of 28 July 2003 and expanded by resolution 1596 (2005) of 18 April 2005, and to enforce the sanctions measures against individuals identified by the Security Council in line with its resolution 1596 (2005) and its resolution 1616 (2005) of 29 July 2005;

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[6] A/58/428-S/2003/983, annex.

Draft resolution II
Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other international human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination[3] and the Convention on the Rights of the Child,[4]

Recalling its previous resolutions on the subject, the most recent of which is resolution 59/205 of 20 December 2004, and recalling also Commission on Human Rights resolution 2001/17 of 20 April 2001,[5]

Noting the statements made by the Government of the Islamic Republic of Iran on strengthening respect for human rights in the country and promoting the rule of law,

1. *Welcomes*:

(a) The open invitation extended by the Government of the Islamic Republic of Iran to all human rights thematic monitoring mechanisms in April 2002 and the cooperation extended to the special procedures of the Commission on Human Rights during their visits;

(b) The visit of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, to the Islamic Republic of Iran from 29 January to 6 February 2005;

(c) The visit of the Special Rapporteur of the Commission on Human Rights on adequate housing as a component of the right to an adequate standard of living to the Islamic Republic of Iran from 19 to 30 July 2005;

(d) The recommendation by the head of the judiciary of the Islamic Republic of Iran to judges in December 2002 that they choose alternative punishment in cases where the sentence of stoning would otherwise be imposed;

(e) The announcement by the head of the judiciary in April 2004 of the ban on torture and the subsequent passage of related legislation by the Parliament, which was approved by the Guardian Council in May 2004;

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 2106 A (XX), annex.

[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[5] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

(f) The compliance by the Islamic Republic of Iran with its obligation, as a party to the Convention on the Rights of the Child, to deliver its presentation to the Committee on the Rights of the Child in January 2005;

(g) The human rights dialogues between the Islamic Republic of Iran and a number of countries, while regretting that a number of these have not been held at regular intervals lately;

(h) The cooperation with United Nations agencies in developing programmes in the field of human rights, good governance and the rule of law;

2. *Expresses its serious concern* at:

(a) The continuing harassment, intimidation and persecution of human rights defenders, non-governmental organizations, political opponents, religious dissenters, political reformists, journalists, parliamentarians, students, clerics, academics and webloggers, including through undue restrictions on the freedoms of assembly, opinion and expression, the use of arbitrary arrest, targeted at both individuals and their family members, and the unjustified closure of newspapers and blocking of Internet sites, as well as the absence of many necessary conditions for free and fair elections, including by the arbitrary disqualification of large numbers of prospective candidates, including all women, during the presidential elections of June 2005;

(b) The persistent failure to comply fully with international standards in the administration of justice and, in particular, the absence of due process of law, the refusal to provide fair and public hearings, the denial of the right to counsel and access to counsel by those detained, the use of national security laws to deny human rights, the harassment, intimidation and persecution of defence lawyers and legal defenders, the lack of respect for internationally recognized safeguards, inter alia, with respect to persons belonging to religious, ethnic or national minorities, officially recognized or otherwise, the application of arbitrary prison sentences, and the violation of the rights of detainees, including the systematic and arbitrary use of prolonged solitary confinement, the failure to provide proper medical care to those imprisoned and the arbitrary denial of contact between detainees and their family members;

(c) The continuing use of torture and cruel, inhuman or degrading treatment or punishment such as flogging and amputations;

(d) The continuing of public executions, including multiple public executions, and, on a large scale, other executions in the absence of respect for internationally recognized safeguards, and, in particular, deplores the execution of persons who were under the age of 18 at the time their offence was committed, contrary to the obligations of the Islamic Republic of Iran under article 37 of the Convention on the Rights of the Child[4] and article 6 of the International Covenant on Civil and Political Rights[2] and in spite of the announcement of a moratorium on juvenile executions;

(e) The continuing violence and discrimination against women and girls in law and in practice, despite some minor legislative improvements, and the refusal of the Guardian Council to take steps to address this systemic discrimination, noting in this context its rejection, in August 2003, of the proposal of the elected parliament

to accede to the Convention on the Elimination of All Forms of Discrimination against Women;[6]

(f) The continuing discrimination, and other human rights violations against persons belonging to ethnic and religious minorities, recognized or otherwise, including Arabs, Kurds, Baluchi, Christians, Jews and Sunni Muslims, the escalation and increased frequency of discrimination and other human rights violations against the Bahá'í, including cases of arbitrary arrest and detention, the denial of freedom of religion or of publicly carrying out communal affairs, the disregard of property rights, the destruction of sites of religious importance, the suspension of social, educational and community-related activities and the denial of access to higher education, employment, pensions, adequate housing and other benefits and recent violent crackdowns on Kurds;

3. *Calls upon* the Government of the Islamic Republic of Iran:

(a) To ensure full respect for the rights to freedom of assembly, opinion and expression, and the right to take part in the conduct of public affairs in accordance with its obligations under the International Covenant for Civil and Political Rights and, in particular, to end the harassment, intimidation and persecution of political opponents and human rights defenders, including by releasing people imprisoned arbitrarily or on the basis of their political views;

(b) To ensure full respect for the right to due process of law, including the right to counsel and access to counsel by those detained, in criminal justice proceedings and, in particular, to ensure a fair and public hearing by a competent, independent and impartial tribunal established by law, to end harassment, intimidation and persecution of defence lawyers and legal defenders and to ensure equality before the law and the equal protection of the law without any discrimination in all instances, including for members of religious, ethnic, linguistic or other minority groups, officially recognized or otherwise;

(c) To eliminate, in law and in practice, the use of torture and cruel, inhuman or other degrading treatment or punishment such as amputations and flogging, to end impunity for violations of human rights that constitute crimes by bringing the perpetrators to justice in accordance with international standards and, as proposed by the elected Iranian parliament, to accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[7]

(d) To abolish public executions and other executions carried out in the absence of respect for internationally recognized safeguards, in particular, as called for by the Committee on the Rights of the Child in its report of January 2005, executions of persons who, at the time of their offence, were under the age of 18, and to uphold the moratorium on executions by stoning and to introduce this moratorium as law as a first step towards the abolition of this punishment;

(e) To eliminate, in law or in practice, all forms of discrimination and violence against women and girls, and, as proposed by the elected Iranian Parliament, to accede to the Convention on the Elimination of All Forms of Discrimination against Women;[6]

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[6] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[7] Ibid., vol. 1465, No. 24841.

(f) To eliminate, in law or in practice, all forms of discrimination based on religious, ethnic or linguistic grounds, and other human rights violations against persons belonging to minorities, including Arabs, Kurds, Baluchi, Christians, Jews, Sunni Muslims and the Bahá'í, and to address this matter in an open manner, with the full participation of the minorities themselves, to otherwise ensure full respect for the right to freedom of thought, conscience, religion or belief of all persons, and to implement the 1996 report of the Special Rapporteur of the Commission on Human Rights on religious intolerance, which recommended ways the Islamic Republic of Iran could emancipate the Bahá'í community;

4. *Encourages* the thematic mechanisms of the Commission on Human Rights, inter alia, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Representative of the Secretary-General on the situation of human rights defenders and the Working Group on Enforced or Involuntary Disappearances, to visit or otherwise continue their work to improve the human rights situation in the Islamic Republic of Iran, and urges the Government of the Islamic Republic of Iran to cooperate with these special mechanisms and to illustrate how their subsequent recommendations have been addressed, including those of special procedures that have visited the country in the past twelve months;

5. Decides to continue its examination of the situation of human rights in the Islamic Republic of Iran at its sixty-first session, under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

Draft resolution III
Situation of human rights in Turkmenistan

The General Assembly,

Reaffirming that all States Members of the United Nations have the obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations that they have undertaken under the various international instruments in this field,

Recalling its resolutions 58/194 of 22 December 2003 and 59/206 of 20 December 2004, and Commission on Human Rights resolutions 2003/11 of 16 April 2003[1] and 2004/12 of 15 April 2004,[2]

Noting the conclusion of the first needs-assessment mission of the Office of the United Nations High Commissioner for Human Rights to Turkmenistan in March 2004 and the ongoing consultations to finalize a possible technical cooperation project,

Noting with appreciation that the Government of Turkmenistan has received the Chairman-in-Office and the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe,

Welcoming the report of September 2005 of the Secretary-General on the situation of human rights in Turkmenistan,[3] which concludes that while the Government of Turkmenistan has made some progress in addressing human rights issues and has shown readiness to cooperate with the international community, there was a lack of overall improvement in addressing serious human rights violations,

Reaffirming that improving security and the fight against terrorism should be conducted in accordance with international law, in particular international human rights, humanitarian and refugee law, and democratic principles,

1. *Welcomes*:

(a) The fact that additional minority religious groups have been allowed to worship for the first time as a result of the removal of a legal impediment to the full realization of the right to freedom of thought, conscience, religion or belief, but notes that serious violations of these freedoms continue;

(b) The release in April 2005 of four Jehovah's Witnesses who had made conscientious objections to undertaking military service;

(c) The lifting of criminal penalties for the activities of non-registered non-governmental organizations in November 2004, while nevertheless noting that difficulties in the registration process for non-governmental organizations and private organizations continue and that other significant restrictions continue to hinder their activities;

(d) The submission, within the past year, of the national report under the International Convention on the Elimination of All Forms of Racial Discrimination[4] to the Committee on the Elimination of Racial Discrimination, as well as the reports

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[1] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II.A.

[2] Ibid., *2004, Supplement No. 3* and corrigendum (E/2004/23 and Corr.1), chap. II.A.

[3] A/60/367.

[4] Resolution 2106 A (XX), annex.

due under the Convention on the Rights of the Child[5] and the Convention on the Elimination of All Forms of Discrimination against Women,[6] while encouraging the Government of Turkmenistan to comply with its outstanding reporting obligations to the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee against Torture;

(e) The demonstrated readiness of the Government of Turkmenistan to discuss human rights matters with interested third parties on an ad hoc basis and to agree on the desirability of continuing dialogue and practical cooperation;

(f) The statements made by the President of Turkmenistan in April 2005 on democratic reforms, and urges that these reforms be truly democratic, in line with established international norms;

(g) The accession by Turkmenistan to the following United Nations protocols and conventions, and urges the Government of Turkmenistan to implement its obligations under these instruments:

(i) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[7]

(ii) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;[8]

(iii) The United Nations Convention against Transnational Organized Crime,[9] its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children[10] and its Protocol against the Smuggling of Migrants by Land, Sea and Air;[11]

(h) The public statements of the President of Turkmenistan recommending the abolition of the practice of removing children from school for the cotton harvest and reprimanding a local governor for the use of child labour in the fields, as well as a law passed on 1 February 2005 prohibiting the employment of minors under the age of 15 and stipulating that no form of child labour should interfere with a child's education, and calls on the Government of Turkmenistan to ensure that the law is fully implemented;

(i) The decision of the Government of Turkmenistan to grant citizenship or permanent resident status to more than sixteen thousand refugees, including a significant number of Tajik refugees, who had fled Tajikistan between 1992 and 1999 and whose naturalization under the Turkmen Nationality Law had been advocated for many years by the United Nations High Commissioner for Refugees;

(j) The abolition of exit visas as a requirement for leaving the country;

2. *Expresses its grave concern* at the continuing and serious human rights violations occurring in Turkmenistan, in particular:

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[5] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[6] Ibid., vol. 1249, No. 20378.

[7] Resolution 54/263, annex I.

[8] Resolution 54/263, annex II.

[9] Resolution 55/25.

[10] Resolution 55/25, annex II.

[11] Resolution 55/25, annex III.

(a) The persistence of a governmental policy based on the repression of all political opposition activities;

(b) The continuing abuse of the legal system through arbitrary detentions, imprisonment and surveillance of persons who try to exercise their freedom of expression, assembly and association, and by harassment of their families;

(c) The poor conditions in prisons in Turkmenistan and credible reports of ongoing torture and mistreatment of detainees;

(d) The failure of the Government of Turkmenistan to grant access to detainees to the International Committee of the Red Cross, according to the usual terms of the Committee, as well as to international monitors;

(e) The complete control of the media by the Government of Turkmenistan, its censorship of all newspapers and access to the Internet and intolerance of independent criticism of government policy, as well as further restrictions on the freedom of expression and opinion, including shutting down the last remaining Russian language radio station, Radio Mayak, even if satellite television is permitted and widely used, harassing of local correspondents and collaborators of Radio Liberty and prohibiting all contact between local journalists and foreigners without the express consent of the Government;

(f) Continuing restrictions on the exercise of the freedom of thought, conscience, religion or belief, including the use of registration procedures as a means to limit the right and freedom of thought, conscience and religion of members of certain religious communities;

(g) Continuing discrimination by the Government of Turkmenistan against ethnic Russian, Uzbek and other minorities, inter alia, in the fields of education and employment and access to media, despite assurances by the Government that it will stop this discrimination, taking note in this regard of the concluding observations of August 2005 of the Committee on the Elimination of Racial Discrimination;

(h) Forced displacement of its citizens, including a disproportionate displacement of ethnic minorities;

(i) Continuing restrictions on the exercise of the right of peaceful assembly, including increased constraints faced by civil society organizations, such as the slow progress in the registration of non-governmental organizations under the procedures set out in the law of 2003 on public associations;

(j) The continuing failure of the Government of Turkmenistan to respond to the criticisms identified in the report of the rapporteur of the Moscow Mechanism of the Organization for Security and Cooperation in Europe with regard to the investigation, trial and detention procedures following the reported assassination attempt against the President of Turkmenistan in November 2002, as well as the failure of the Turkmen authorities to allow appropriate independent bodies, family members and lawyers access to those convicted, or to provide any kind of evidence to dispel rumours that some of those convicted have died in detention;

(k) Arbitrary or unlawful interference with individuals' privacy, family, home or correspondence and violations of the freedom to leave one's country;

(l) Reported instances of hate speech against national and ethnic minorities, including statements attributed to high-ranking government officials and public figures supporting an approach to Turkmen ethnic purity, as noted in the concluding

observations of August 2005 of the Committee on the Elimination of Racial Discrimination;

3. *Urges* the Government of Turkmenistan:

(a) To ensure full respect for all human rights and fundamental freedoms and, in this regard, to implement fully the measures set out in General Assembly resolutions 58/194 and 59/206 and Commission on Human Rights resolutions 2003/11 and 2004/12;

(b) To work closely with the Office of the United Nations High Commissioner for Human Rights with regard to the areas of concern and to cooperate fully with all the mechanisms of the Commission on Human Rights, in particular to consider favourably requests made by a number of special rapporteurs of the Commission on Human Rights to visit the country, as recalled in the report of the Secretary-General,[3] and with all the relevant United Nations treaty bodies;

(c) To implement fully the recommendations outlined in the report of the rapporteur of the Moscow Mechanism of the Organization for Security and Cooperation in Europe and to work constructively with the various institutions of the Organization, and to facilitate further visits of the Organization's Chairman-in-Office as well as his Personal Envoy for participating States in Central Asia, and of the Organization's High Commissioner on National Minorities;

(d) To follow through on the presentation of the Government of Turkmenistan to the Commission on Human Rights in April 2004 and the meetings of the Government of Turkmenistan with the International Committee of the Red Cross in 2005 by finalizing an agreement allowing the Committee to visit Turkmen prisons with full and repeated access to all places of detention in accordance with the usual modalities for that organization, and by providing international monitors, lawyers and relatives with full and repeated access to all those in detention, including those convicted of involvement in the coup attempt of 25 November 2002;

(e) To respect the right of everyone to freedom of thought, conscience, religion or belief, whether a member of a religious group or not, and to cease the harassment, detention and persecution of members of religious minorities, whether registered or unregistered;

(f) To bring laws and practices governing registration of public associations, including non-governmental organizations, into line with the standards of the Organization for Security and Cooperation in Europe and to enable non-governmental organizations, particularly human rights organizations, and other civil society actors, including independent media, to carry out their activities without hindrance;

(g) To submit reports to the United Nations treaty bodies to which it has assumed a reporting obligation and to give due regard to the recommendations and concluding observations of those treaty bodies, the most recent being the recommendations and concluding observations of the Committee on the Elimination of Racial Discrimination;

(h) To fulfil its responsibility to ensure that those responsible for human rights violations are brought to justice;

4. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-first session on the implementation of the present resolution.

Draft resolution IV
Situation of human rights in the Democratic People's Republic of Korea

The General Assembly,

Reaffirming that States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[1] the Convention on the Rights of the Child[2] and the Convention on the Elimination of All Forms of Discrimination against Women,[3]

Recalling Commission on Human Rights resolutions 2003/10 of 16 April 2003,[4] 2004/13 of 15 April 2004[5] and 2005/11 of 14 April 2005,[6]

Recalling in particular that in its resolution 2005/11, the Commission on Human Rights urged the General Assembly to take up the question of the situation of human rights in the Democratic People's Republic of Korea if the Government did not extend cooperation to the Special Rapporteur of the Commission on the situation of human rights in the Democratic People's Republic of Korea and if no improvement of the situation of human rights in the country was observed,

Taking note of the report of the Special Rapporteur,[7]

1. *Expresses its serious concern* at:

(a) The refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to him;

(b) Continuing reports of systemic, widespread and grave violations of human rights in the Democratic People's Republic of Korea, including:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, public executions, extrajudicial and arbitrary detention, the absence of due process and the rule of law, the imposition of the death penalty for political reasons, the existence of a large number of prison camps and the extensive use of forced labour;

(ii) Sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, such as treating their departure

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[1] Resolution 2200 A (XXI), annex.

[2] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[3] Ibid., vol. 1249, No. 20378.

[4] *Official Records of the Economic and Social Council, 2003*, Supplement No. 3 (E/2003/23), chap. II, sect. A.

[5] Ibid., *2004*, Supplement No. 3 and corrigendum (E/2004/23 and Corr.1), chap. II, sect. A.

[6] See E/2005/23 (Part I); for the final text, see *Official Records of the Economic and Social Council, 2005*, Supplement No. 3 (E/2005/23), chap. II, sect. A.

[7] See A/60/306.

as treason, leading to punishments of internment, torture, cruel, inhuman or degrading treatment or the death penalty;

(iii) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion, opinion and expression, peaceful assembly and association, and on equal access to information and limitations imposed on every person who wishes to move freely within the country and travel abroad;

(iv) Continuing violation of the human rights and fundamental freedoms of women, in particular the trafficking of women for the purpose of prostitution or forced marriage, forced abortions, and infanticide of children of repatriated mothers, including in police detention centres and camps;

(v) Unresolved questions relating to the abduction of foreigners in the form of an enforced disappearance;

2. *Expresses its concern* that the Government of the Democratic People's Republic of Korea has not engaged in technical cooperation activities with the United Nations High Commissioner for Human Rights and her Office, despite efforts by the High Commissioner to engage in a dialogue with the authorities of the Democratic People's Republic of Korea in this regard;

3. *Expresses its deep concern* at the precarious humanitarian situation in the country, in particular the prevalence of infant malnutrition, which still affects the physical and mental development of a significant proportion of children;

4. *Urges* the Government of the Democratic People's Republic of Korea, in this regard, to ensure that humanitarian organizations, including non-governmental organizations and United Nations organizations, in particular the World Food Programme, have full, free, safe and unimpeded access to all parts of the Democratic People's Republic of Korea so that they may ensure that humanitarian assistance is delivered impartially on the basis of need in accordance with humanitarian principles, this concern having been aggravated by the announcement by the authorities of the Democratic People's Republic of Korea of their intention not to accept humanitarian assistance from January 2006;

5. *Also urges* the Government of the Democratic People's Republic of Korea to fully respect all human rights and fundamental freedoms and, in this regard, to implement fully the measures set out in the above-mentioned resolutions of the Commission on Human Rights, in particular full cooperation with the Special Rapporteur.

Draft resolution V
Situation of human rights in Uzbekistan

The General Assembly,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms, and the duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Uzbekistan is party to the International Covenant on Civil and Political Rights,[1] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[2] the International Covenant on Economic, Social and Cultural Rights,[3] the International Convention on the Elimination of All Forms of Racial Discrimination,[4] the Convention on the Elimination of Discrimination against Women,[5] and the Convention on the Rights of the Child,[6]

Deeply concerned by the events that occurred in Andijan in May 2005 and the subsequent response of the Uzbek authorities,

1. *Welcomes*:

(a) The high-level talks of the Government of Uzbekistan with the Secretary-General of the Organization for Security and Cooperation in Europe and Special Representative of the European Union for Central Asia, and hopes that a real, constructive dialogue on human rights issues will be held soon;

(b) The steps, albeit limited, taken to date to implement the National Action Plan on Torture and the recommendations of the Special Rapporteur of the Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment, including the definition of torture by the Supreme Court in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the amendment of the Criminal Code to include torture as a punishable crime;

(c) The statement made by the President of Uzbekistan on 28 January 2005 in which he expressed, inter alia, the intention to provide for true independence of the judiciary, and calls upon the Government of Uzbekistan to take steps to allow for its practical independence, as outlined by the President;

(d) The decree of the President of Uzbekistan on 1 August 2005 that the death penalty shall be abolished in Uzbekistan as from 1 January 2008;[7]

2. *Expresses its grave concern* at the continuing and serious human rights violations occurring in Uzbekistan, in particular:

(a) Eyewitness reports of indiscriminate and disproportionate force used by government troops to quell demonstrations in Andijan in May 2005 resulting in the death of many civilians;

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[1] Resolution 2200 A (XXI), annex.
[2] United Nations, *Treaty Series*, vol. 1465, No. 24841.
[3] Resolution 2106 A (XX), annex.
[4] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[5] Ibid., vol. 1577, No. 27531.
[6] A/59/890, annex.

(b) The pressure applied to prevent citizens of Uzbekistan with refugee status granted by the Office of the United Nations High Commissioner for Refugees from travelling to a third country;

(c) Reports of arbitrary arrest and detention, including of eyewitnesses to the events in Andijan;

(d) Prevention of the functioning of independent media and the intolerance of any form of dissent expressed therein and increasing restrictions on freedom of expression, particularly harassment, beatings, arrests and threats made against journalists and civil society activists attempting to document and publicize information on the events in Andijan;

(e) Continuing refusal to permit the registration of opposition political parties, and their consequent inability to participate in the electoral process;

(f) A continuing pattern of discrimination, harassment and prosecution with regard to the exercise of freedom of thought, conscience and religion;

(g) Serious constraints on, and harassment and detention of, the members of non-governmental organizations and civil society, including human rights defenders;

3. *Deeply regrets* the decision of the Government of Uzbekistan to reject both the repeated calls of the United Nations High Commissioner for Human Rights for the establishment of an independent commission of inquiry into the events that occurred in Andijan on 13 May 2005 and the request of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions to visit Uzbekistan soon afterwards;

4. *Strongly calls upon* the Government of Uzbekistan:

(a) To implement fully without any delay the recommendations contained in the report of the mission of the Office of the United Nations High Commissioner for Human Rights to Kyrgyzstan in June 2005,[7] most notably with respect to granting permission for the establishment of an international commission of inquiry into the events in Andijan;

(b) To accede to the 1951 Convention relating to the Status of Refugees[8] and its 1967 Protocol;[9]

(c) To put an end to the harassment and detention of eyewitnesses to the events in Andijan;

(d) To ensure readily accessible and fair trials;

(e) To ensure full respect for all human rights and fundamental freedoms and, in this regard, to implement fully the recommendations of the independent expert on the situation of human rights in Uzbekistan appointed under the confidential 1503 procedure at the sixtieth session of the Commission on Human Rights and to extend full cooperation to the newly appointed independent expert;

(f) To permit the full freedom of practising religion;

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[7] Available from http://www.reliefweb.int/library/documents/2005/unhcr-uzb-12jul.pdf (accessed 3 November 2005).

[8] United Nations, *Treaty Series*, vol. 189, No. 2545.

[9] Ibid., vol. 606, No. 8791.

(g) To implement fully the recommendations contained in the report of the Special Rapporteur of the Commission on Human Rights on the question of torture prepared following his visit to Uzbekistan from 24 November to 6 December 2002;[10]

(h) To work closely with the Office of the United Nations High Commissioner for Human Rights with regard to the areas of concern and to cooperate fully with all the mechanisms of the Commission on Human Rights and all the relevant United Nations treaty bodies;

(i) To allow the representatives of the International Committee of the Red Cross unimpeded access to persons detained, in accordance with its working procedures;

(j) To implement fully the commitments undertaken in the framework of the Organization for Security and Cooperation in Europe and to cooperate with the institutions of that Organization;

(k) To register independent opposition political parties and allow them to participate in the electoral process;

(l) To lift restrictions on the activities of civil society, including non-governmental organizations;

(m) To protect journalists, including those who write articles opposing government policy, in line with the President's past appeals for journalists to be more critical, and the functioning of independent media outlets, including, as the case may be, licensing and accreditation;

(n) To take legislative, judicial, administrative and other appropriate measures to actively protect human rights defenders against any violence, threats and other forms of harassment, and to withdraw all measures that restrict their freedom of action, assembly and speech or that hinder them in carrying out their legitimate activities according to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;[11]

(o) To place no restrictions on diplomats and representatives of the United Nations, the Organization for Security and Cooperation in Europe and other international bodies in respect of their travel to Uzbekistan;

5. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session.

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[10] E/CN.4/2003/68/Add.2, annex.

[11] Resolution 53/144, annex.

Draft resolution VI
Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] and recalling the International Covenants on Human Rights[2] and other relevant human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Reaffirming also its previous resolutions on the human rights situation in Myanmar, the most recent of which is resolution 59/263 of 23 December 2004, those of the Commission on Human Rights, the most recent of which is resolution 2005/10 of 14 April 2005,[3] and the conclusions of the International Labour Conference of 4 June 2005,

Bearing in mind Security Council resolutions 1325 (2000) of 31 October 2000 on women and peace and security, 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict and 1612 (2005) of 26 July 2005 on children in armed conflict, and the report of the Secretary-General on children and armed conflict,[4]

Recognizing that good governance, democracy, the rule of law and respect for human rights are essential to achieving sustainable development and economic growth, and affirming that the establishment of a genuine democratic government in Myanmar is essential for the realization of all human rights and fundamental freedoms,

Affirming that the will of the people is the basis of the authority of government and that the will of the people of Myanmar was clearly expressed in the elections held in 1990,

1. *Welcomes*:

(a) The reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar[5] and the reports of the Secretary-General;[6]

(b) The personal engagement and statements of the Secretary-General with regard to the situation of Myanmar;

(c) The efforts of the United Nations and other international humanitarian organizations to deliver urgently needed humanitarian assistance to the most vulnerable people in Myanmar;

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See E/2005/23 (Part I); for the final text, see *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II, sect. A.

[4] A/59/695-S/2005/72.

[5] E/CN.4/2005/36 and A/60/221.

[6] A/60/422 and Corr.1 and E/CN.4/2005/130.

(d) The release by the Government of Myanmar of two hundred and forty-nine political prisoners on 6 July 2005, while noting that over eleven hundred political prisoners remain incarcerated;

(e) The establishment by the Government of a Committee for the Prevention of Military Recruitment of Under-age Soldiers and the adoption in November 2004 of an outline plan of action to address the issues of under-age recruitment and child soldiers;

(f) The ratification by Myanmar of the United Nations Convention against Transnational Organized Crime[7] and two of its Protocols, namely, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[8] and the Protocol against the Smuggling of Migrants by Land, Sea and Air,[9] on 30 March 2004, and the enactment by Myanmar of an Anti-trafficking in Persons Law drawn up in accordance with the Convention in September 2005;

2. *Expresses grave concern* at:

(a) The ongoing systematic violation of the human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar, including violations of the right to an adequate standard of living, discrimination and violations suffered by persons belonging to ethnic nationalities, women and children, especially in non-ceasefire areas, including but not limited to extrajudicial killings, rape and other forms of sexual violence persistently carried out by members of the armed forces, continuing use of torture, deaths in custody, political arrests and continuing imprisonment and other detentions; forced relocation; forced labour, including child labour; trafficking in persons; denial of freedom of assembly, association, expression and movement; wide disrespect for the rule of law, continuing recruitment and use of child soldiers, use of landmines, and the confiscation of arable land, crops, livestock and other possessions;

(b) The extension of the house arrest of the General Secretary of the National League for Democracy, Aung San Suu Kyi, and her deputy, Tin Oo, and the persistent denial of their human rights and fundamental freedoms, including freedom of movement and association, as well as the continuing detention, particularly incommunicado detention, of other senior leaders of the League and of the leadership of other political parties or ethnic nationalities, particularly the detention of Khun Htun Oo and Sai Nyunt Lwin, Chairman and General Secretary, respectively, of the Shan Nationalities League for Democracy, and Sao Hso Ten, Chairman of the Shan State Peace Council;

(c) The consistent harassment of members of the National League for Democracy and other politicians, and the fact that no full and independent inquiry with international cooperation has been initiated into the attack perpetrated near Depayin on 30 May 2003, despite the decision taken thereon by the General Assembly in its resolution 58/247 of 23 December 2003;

(d) The absence of a substantive and structured dialogue with Aung San Suu Kyi and the National League for Democracy, and some representative ethnic groups, that facilitates national reconciliation, coupled with continuing restrictions placed on the League and other political parties which have prevented them from

[7] Resolution 55/25, annex I.

[8] Ibid., annex II.

[9] Ibid., annex III.

participating in the National Convention, including the continued closure of the League's regional offices;

(e) The renewed attacks by military forces on ceasefire groups in violation of ceasefire agreements, and the subsequent and continuing violations of human rights, and the deterioration of the enjoyment of human rights by the affected populations;

(f) The continuing denial of the freedom of human rights defenders to pursue their legitimate activities;

(g) The situation of the large number of internally displaced persons and the flow of refugees to neighbouring countries, and recalls in this context the obligations of Myanmar under international law;

(h) The fact that the Government of Myanmar, as noted by the International Labour Conference 2005, has still not implemented the recommendations of the International Labour Organization Commission of Inquiry; has yet to demonstrate its stated determination to eliminate forced labour and take the necessary measures to comply with International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; and has yet to demonstrate commitment at the highest level to a substantive policy dialogue that can address the forced labour problem;

(i) The fact that the Special Envoy of the Secretary-General for Myanmar as well as the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar have been unable to visit the country for almost two years, despite repeated requests;

(j) The imposition of various travel restrictions on United Nations and other international organizations undertaking to enable access for the delivery of humanitarian assistance to all parts of Myanmar, and notes the related withdrawal of the Global Fund to Fight AIDS, Tuberculosis and Malaria;

3. *Strongly calls upon* the Government of Myanmar:

(a) To end the systematic violations of human rights in Myanmar, and to ensure full respect for all human rights and fundamental freedoms;

(b) To end impunity and to investigate and bring to justice any perpetrators of human rights violations, including members of the military and other government agents in all circumstances;

(c) To consider as a matter of high priority becoming a party to all instruments of international human rights law and international humanitarian law, and to ensure that existing legal obligations are implemented;

(d) To promote the full enjoyment of all human rights and allow human rights defenders to pursue their activities unhindered and to ensure their safety, security and freedom of movement in that pursuit;

(e) To put an immediate end to the recruitment and use of child soldiers and to extend full cooperation to relevant international organizations in order to ensure the demobilization of child soldiers, their return home and their rehabilitation in accordance with Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005), and stresses the need for the Government of Myanmar to maintain close dialogue with the United Nations Children's Fund, and to cooperate with the

Special Representative of the Secretary-General for Children and Armed Conflict in accordance with Council resolutions 1539 (2004) and 1612 (2005);

(f) To end widespread rape and other forms of sexual violence persistently carried out by members of the armed forces, in particular against women belonging to ethnic nationalities, and to investigate and bring to justice any perpetrators in order to end impunity for these acts;

(g) To end the systematic enforced displacement of persons and other causes of refugee flows to neighbouring countries, to provide the necessary protection and assistance to internally displaced persons, in cooperation with the international community, and to respect the right of refugees to voluntary, safe and dignified return monitored by appropriate international agencies in accordance with international law including applicable international humanitarian law;

(h) To release all political prisoners immediately and unconditionally, including National League for Democracy leaders Aung San Suu Kyi and Tin Oo, and Shan Nationalities League for Democracy leader Khun Htun Oo and other Shan leaders, and to allow their full participation in an inclusive and credible process of national reconciliation;

(i) To lift all restraints on peaceful political activity of all persons, including former political prisoners, by, inter alia, guaranteeing freedom of association and freedom of expression, including freedom of the media, and to ensure unhindered access to information for the people of Myanmar and to desist from arresting and punishing persons for their peaceful political activities;

(j) To urgently resolve the serious issues identified by the High-level Team and the International Labour Conference, including to give clear assurances that no action will be taken against persons lodging complaints of forced labour; to resolve outstanding allegations of forced labour; to issue the necessary visas to allow a strengthening of the International Labour Organization presence in Myanmar; and to respect the freedom of movement of the Liaison Officer ad interim;

(k) To cooperate fully with the Special Envoy of the Secretary-General for Myanmar and the Special Rapporteur in order to bring Myanmar towards a transition to civilian rule, and to ensure that they are both granted full, free and unimpeded access to Myanmar and that no person cooperating with the Special Envoy, the Special Rapporteur or any international organization is subjected to any form of intimidation, harassment or punishment, and to review as a matter of urgency the cases of those currently undergoing punishment in this regard;

(l) Without further delay to cooperate fully with the Special Rapporteur to facilitate an independent international investigation of continuing reports of sexual violence and other abuse of civilians carried out by members of the armed forces in Shan, Karen, Mon and other States;

(m) To ensure immediately safe and unhindered access to all parts of Myanmar for the United Nations and international humanitarian organizations and to cooperate fully with those organizations so as to ensure that humanitarian assistance is delivered in accordance with humanitarian principles and reaches the most vulnerable groups of the population in accordance with international law including applicable international humanitarian law;

(n) To ensure that discipline in prisons does not constitute torture or cruel, inhuman or degrading treatment or punishment, and that conditions of detention

otherwise meet international standards, and to include the possibility of visiting any detainee, including Aung San Suu Kyi;

(o) To ensure that government forces do not engage in food and land requisition or the destruction of villages;

(p) To continue to take action to fight the HIV/AIDS epidemic;

4. *Calls upon* the Government of Myanmar:

(a) To ensure that the remainder of the National Convention, in particular the subsequent constitution-drafting exercise, becomes genuinely inclusive, through the unhindered participation of all political parties and representatives of ethnic nationalities;

(b) To ensure that the proposals tabled at the National Convention for the chapters of the draft constitution are consistent with the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other human rights instruments;

(c) To create the conditions for the free operation of existing and new political parties, in advance of the referendum and elections envisaged under the seven-step road map; and to ensure that all eligible citizens are registered to vote in any future referendum and elections, and that these are conducted according to international standards with the full participation of all political parties;

(d) To pursue through dialogue and peaceful means the immediate suspension and permanent end of conflict with all ethnic groups in Myanmar, including by ensuring that the constitution-drafting process responds to the concerns of the ethnic nationalities, including the ceasefire groups attending the Convention, and respects their rights, so as to increase the likelihood that the ceasefires will lead to lasting political settlements and peace;

(e) To fulfil its obligations to restore the independence of the judiciary and due process of law, and to take further steps to reform the system of the administration of justice;

5. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and the people of Myanmar, including all relevant parties to the national reconciliation process in Myanmar, and to offer technical assistance to the Government in this regard;

(b) To give all necessary assistance to enable his Special Envoy and the Special Rapporteur to discharge their mandate fully and effectively;

(c) To report to the General Assembly at its sixty-first session and to the Commission on Human Rights at its sixty-second session on the progress made in the implementation of the present resolution;

6. *Decides* to continue the consideration of this question at its sixty-first session.